

REMARKS

Claims 11-20 are in the application. In the most recent office communication an objection was raised to the drawing, objections were raised to the specification, and claims 12, 14-15 and 19-20 were rejected under Section 112. All of the claims were rejected on the basis of prior art. Reconsideration of the application is requested in view of the above amendments and the following remarks.

SUBMITTAL OF REPLACEMENT DRAWING

Applicants submit a replacement drawing sheet to include reference to restrictors 26 and 27. It is submitted that this is not an entry of new matter because the subject matter is fully and sufficiently described in the specification.

AMENDMENT TO THE SPECIFICATION AND ABSTRACT

The specification and abstract have been amended in accordance with the Examiner's findings, thereby overcoming the objections thereto.

AMENDMENTS TO ADDRESS REJECTIONS UNDER SECTION 112

All of the rejections under Section 112 are overcome based on the above amendments to the claims. Removal of the rejections is requested.

AMENDMENT AND ARGUMENT TO DISTINGUISH OVER PRIOR ART

All of the claims were rejected under Section 102 or under Section 103 based on German Patent 3926556, Swearingen (U.S. 3,828,610) or a combination of German Patent 3926556 and Arvidsson (U.S. 4,915,510). All of the claims are rejected in whole or part on an interpretation that German Patent 3926556 discloses applicants' claimed restrictor(s). The rejection references element 40 of the figure accompanying the English language abstract of the German Patent 3926556, but the abstract does not describe any function to the element 40. There is no apparent basis supporting a conclusion that the element 40 is a restrictor according to applicants' claims.

Further, with regard to the reliance on German Patent 3926556 to find applicants' claimed restrictor(s) the Examiner is requested to review the conclusions accompanying the PCT Search Report for this application because German Patent 3926556 was reviewed and yet the examiner did not identify a restrictor in that reference. Further, having identified a restrictor in the document D4 the examiner nonetheless concluded in the section titled "Re Point V" that the claimed subject matter differs from the known bearing

"by virtue of the fact that at least one restrictor arranged in the bearing body and intended for the hydraulic medium is provided between the hydraulic piston arrangement and the hydraulic system"

For at least these reasons it is submitted that all of the rejections under Section 102 or 103 which rely on German Patent 3926556 are incorrect.

It is also submitted that all of the claims now more fully distinguish over each of the art rejections. Note, for example, that claim 11 now requires

"a first hydraulic piston element positionable in the bearing body to exert the first force in the first direction and against the first stop surface ... and a second hydraulic piston element positionable in the bearing body to exert the second force in the second direction and against the second stop surface ..."

Also, the hydraulic system of claim 11 (amended) includes

"a first flow path extending to pistons in the first element and a second flow path extending to pistons in the second element wherein to limit the displacement speed of the rotor, at least one restrictor is positioned in the first flow path. [Emphasis Added.]"

None of the prior art teaches or suggests this combination. Furthermore, the citation of Swearingen to reject claims 11 and 20 is misplaced because that reference does not disclose pistons to exert the claimed forces. There is no teaching in the prior art for use of a restrictor according to applicants' claims, e.g., to reduce the displacement speed of a rotor.

Reconsideration of the rejection of claim 19 is also requested. Previously this claim was rejected under Section 103 based on the combination of Arvidsson (U.S. 4,915,510) and German Patent 3926556. Claim 19 (amended) now requires

first and second hydraulic piston arrangements, formed separately from one another at opposing positions along the bearing body, for axially displacing the rotor from a first operating position into a second operating position; and
a hydraulic system fluidically connected by a fluid flow path to the hydraulic piston arrangement,
wherein to limit the displacement speed of the rotor, at least one restrictor is arranged in the fluid flow path between the hydraulic piston arrangement and the hydraulic system and the two hydraulic piston arrangements are fluidically connectable to one another through a 4/2-way directional control valve.

Removal of the rejection and allowance of claim 19 is requested.

Conclusion

All of the independent claims have been shown to be patentably distinct. Further, each of the dependent claims recites a combination which further distinguishes the invention. All of the rejections under Section 112 and the objection to the drawing have been addressed. Accordingly the application is in condition for allowance. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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By: 

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830
Enclosure: One Sheet of Replacement Drawing